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Message Text

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ACTION IO-13

INFO OCT-01 CIAE-00 CU-02 INR-07 NSAE-00 USIA-06 EUR-12
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----------260232Z 044862 /73
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C O N F I D E N T I A L SECTION 01 OF 03 PARIS 02507

NESCO

E.O. 11652: GDS
TAGS: AORG, CSCE, SHUM, UNESCO
SUBJECT: CONVERSATION WITH KAREL VASAK, DIRECTOR OF
UNESCO DIVISION OF HUMAN RIGHTS AND PEACE

1. ON JAN. 23, 1977, ACTING PERMREP (WARVARIV) HAD LONG DINNER CONVERSATION WITH DR. KAREL VASAK, THE NEWLY APPOINTED DIRECTOR OF THE DIVISION OF HUMAN RIGHTS AND PEACE IN THE UNESCO SOCIAL SCIENCES SECTOR CZECH BY BIRTH, NOW NATURALIZED FRENCH CITIZEN, DR. VASAK HAD EXTENSIVE EXPERIENCE IN THE FIELD OF HUMAN RIGHTS. HE WAS CHIEF EDITOR OF "REVUE DES DROITS DE L'HOMME", AND "ANNUAIRE FRANCAIS DES DROITS DE L'HOMME'; SECRETARY GENERAL OF THE ASSOCIATION OF EUROPEAN JURISTS AND, BEFORE COMING TO UNESCO, DIRECTOR OF COUNCIL OF EUROPE INSTITUTE OF HUMAN RIGHTS IN STRASBOURG.

2. ON THIS FIRST OCCASION OF OUR PERSONAL MEETING, WHICH LED TO VERY FRIENDLY AND CANDID TOUR DE HORIZON DISCUSSION, ACTING PERMREP TOOK THE OPPORTUNITY TO BRIEFLY RESTATE USG GENERAL POSITION ON SUBJECT AREA, CONFIDENTIAL

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UNDERSCORING IN PARTICULAR: (1) GREAT IMPORTANCE US ATTACHES TO HUMAN RIGHTS IN THE UN SYSTEM AS A WHOLE; (2) OUR KEEN INTEREST IN SEEING THAT UNESCO, AS ONE OF THE PRINCIPAL UN AGENCIES WITH SPECIFIC TASK OF PROMOTING OBSERVANCE OF HUMAN RIGHTS AND BASIC FREEDOMS, TAKES BROADEST POSSIBLE APPROACH IN DEVELOPING ITS PROGRAMS IN THIS FIELD, NOT LOSING SIGHT OF MAJOR AREAS

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INVOLVING DENIALS OF HUMAN RIGHTS AND FUNDAMENTAL FREE-
DOMS, WHENEVER THEY OCCUR; (3) OURDESIRE TO WORK WITH
OTHER LIKE-MINDED COUNTRIES IN DEVELOPING EFFECTIVE
UNESCO PROCEDURE IN DEALING WITH HUMAN RIGHTS QUESTIONS
AND SITUATIONS, AND TO PRESS FOR AN EVENHANDED APPROACH
TO HUMAN RIGHTS ISSUES IN UNESCO FORUMS; (4) OUR STRONG
OPPOSITION TO ANY ATTEMPT OF LINKING PROGRAM ACTION
AGAINST RACISM AND RACIAL DISCRIMINATION WITH ILL-
FAMOUS UNGA RES. 3379 EQUATING ZIONISM WITH RACISM; AND
(5) OUR DEEP CONCERN WITH TENDENCIES OF PROLIFERATION
OF HUMAN RIGHTS INSTRUMENTS WITH INADEQUATE ATTENTION
BEING GIVEN TO CONCRETE MEASURES REQUIRED FOR THE
WORLDWIDE ENFORCEMENT OF THE EXISTING INSTRUMENTS.

3. DR. VASAK RESPONDED THAT HE SHARES OUR CONCERNS
AND FULLY SUPPORTS ALL OF ABOVE POINTS. HE WENT ON TO
SAY THAT EVEN THOUGH HE IS NEW TO UNESCO, HE
IS QUITE AWARE THAT BECAUSE HUMAN RIGHTS ARE OF SUCH
FUNDAMENTAL IMPORTANCE, THEY HAVE MAJOR POLITICAL
IMPLICATIONS WHICH, IN AN AREA THAT DEPENDS FOR ACTION
PRIMARILY ON INDIVIDUAL MEMBER STATES, HAVE IN THE
PAST IMPEDED UNESCO'S EFFORTS TO PLAY A TRULY EFFECTIVE
ROLE THAT IT MUST DO. HE SAID THAT HE WILL DO
EVERYTHING IN HIS POWER TO HELP TO REMEDY THIS SITUA-
TION. HE EXPRESSED DESIRE TO STAY IN CLOSE TOUCH WITH
US PERM DEL ON INFORMAL, PRIVATE BASIS.

4. CONCERNING MORE SPECIFIC PENDING ISSUES IN UNESCO
PROGRAM FOR 1977-1978, ACTING PERMREP EXPRESSED OUR
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CONCERN THAT THE RE-DRAFTING OF THE UNESCO DRAFT
DECLARATION ON RACE AND RACIAL PREJUDICE BE CARRIED OUT
WITH CARE AND JUDICIOUSNESS. VASAK SAID THAT HE SHARED
THIS CONCERN. IF THERE IS TO BE SUCH A DECLARATION, HE
FELT THAT IT SHOULD BE GLOBAL INSTRUMENT COVERING ALL
ASPECTS IN THIS AREA AND COMMANDING WIDEST POSSIBLE
SUPPORT FROM ALL MEMBER STATES. HE PROPOSED TO DIRECTOR
GENERAL M'BOW THAT THERE BE TWO STAGES IN PREPARING
THE DOCUMENT: (A) CONVENING OF GROUP OF "WISEMEN"
(NOT MORE THAN 7-9) TO STUDY AND APPROVE PRELIMINARY
DRAFT DECLARATION WHICH IS NOW BEING WORKED OUT BY THE
SECRETARIAT (READ VASAK), AND (B) SUBMISSION OF SUCH A
DOCUMENT TO MEETING OF GOVERNMENT EXPERTS FOR REVIEW
AND ENDORSEMENT BEFORE IT IS PRESENTED TO THE 20TH
GENERAL CONFERENCE FOR FINAL APPROVAL.

ASKED WHETHER HE HAD SUGGESTIONS FOR THE GROUP OF

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"WISEMEN"; VASAK MENTIONED FOLLOWING: FERNANDO VOLIO, MINISTER OF EDUCATION OF COSTA RICA; ANDRES AGILA, FORMER MINISTER OF JUSTICE OF VENEZUELA; PROF. KAPTYIN OF UNIV. OF LEIDEN, HOLLAND; SHIEGERU ODA, JAPANESE MEMBER OF THE INTERNATIONAL COURT OF JUSTICE; MANFRED LACHS OF POLAND, FORMER JUDGE OF INTERNATIONAL COURT OF JUSTICE; MAJID RAHNEMA, IRANIAN MEMBER OF UNESCO EXECUTIVE BOARD; KEBA M'BAYE, FORMER PRESIDENT OF THE SUPREME COURT OF SENEGAL; AND ONE AMERICAN, "LIKE" AMBASSADOR CLYDE FERGUSON WHO PARTICIPATED ON COMMITTEE OF EXPERTS THAT DRAFTED UNESCO "STATEMENT ON RACE AND RACIAL PREJUDICE" IN 1967. VASAK SUGGESTED THAT SUCH A GROUP COULD MEET NEXT APRIL-MAY FOR ABOUT 2-3 DAYS IN PARIS.

CONCERNING THE MEETING OF GOVERNMENT EXPERTS, VASAK FELT THAT IT SHOULD NOT BE HELD AT PARIS HEADQUARTERS AND BY PROCESS OF ELIMINATION HE THOUGHT THAT THERE MIGHT BE ADVANTAGES TO HOLDING THE MEETING IN LUSAKA. ACTING PERMREP REPLIED THAT HE WOULD HAVE TO REFLECT ON THE IDEA AND THAT MUCH DEPENDED ON THE SITUATION IN
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SOUTHERN AFRICA AT THE TIME (AUTUMN 1977). WE BOTH AGREED THAT THE MEETING HAD TO BE HELD IN A MANAGEABLE SITUATION AND ONE THAT COULD EVOKE THE "SPIRIT OF NAIROBI". IN THIS CONNECTION, ACTING PERMREP REMINDED VASAK THAT THE 1967 UNESCO STATEMENT ON RACE SPECIFICALLY MENTIONS ANTI-SEMITISM AMONG OTHER EXAMPLES OF RACISM, WHICH FACT COULD BE USED TO COUNTER POSSIBLE MOVES OF INTRODUCING ZIONISM-RACISM EQUATION INTO DRAFT DECLARATION. VASAK AGREED.

5. UNESCO AND IMPLEMENTATION OF HELSINKI FINAL ACT. DR. VASAK THEN TURNED TO DISCUSSION OF THIS SUBJECT MATTER AT THE 19TH GENERAL CONFERENCE IN NAIROBI AND SAID THAT, IN HIS VIEW, OPPOSITION OF SOME WESTERN COUNTRIES TO UNESCO PROJECT IN THIS AREA (SEE PARA. 3192 OF DOC. 19 C/5) STEMMED FROM BAD FORMULATION ON PART OF THE UNESCO SECRETARIAT WHICH HE REGRETTED, EVEN THOUGH HE HAD NO HAND IN IT. HE HAS NOW REWRITTEN THE PROJECT IN QUESTION, TURNING IT AROUND, SO THAT IT NOW READS: "HELSINKI FINAL ACT IN THE LIGHT OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS." VASAK THOUGHT THIS COULD BE IMPORTANT CONTRIBUTION TO THE STUDY OF THE PROBLEM OF REPORTS WITHIN VARIOUS SYSTEMS AND METHODS, UNIVERSAL AND REGIONAL, FOR THE PROTECTION OF HUMAN RIGHTS.

HE HAS IN MIND CONVENING OF A SMALL MEETING OF EXPERTS (NOT MORE THAN 25-30), TO BE HELD IN WARSAW, JOINTLY WITH THE INSTITUTE OF HUMAN RIGHTS IN STRASBOURG AND THE INSTITUTE OF SOCIAL SCIENCES OF THE POLISH ACADEMY OF SCIENCES. VASAK CONSIDERED THIS TO BE VERY TECHNICAL, LEGALISTIC COLLOQUIUM FOCUSING AROUND TWO MAIN AGENDA ITEMS: (A) INTERNATIONAL DIMENSIONS OF THE PROTECTION OF HUMAN RIGHTS AND THE HELSINKI FINAL ACT: STANDARDS AND PRINCIPLES; AND (B) INTERNATIONAL DIMENSIONS OF THE PROTECTION OF HUMAN CONFIDENTIAL

RIGHTS AND THE HELSINKI FINAL ACT: IMPLEMENTATION, ON THE NATIONAL AND INTERNATIONAL LEVELS.

VASAK IS NOW IN TOUCH WITH THE DIRECTOR OF ABOVE POLISH INSTITUTE (PROF. LOPATKA) CONCERNING THIS PROJECT, AND WISHES TO INVITE EXPERTS FROM FRG, DENMARK, NORWAY, FRANCE, UK, SPAIN, USSR (MR. MOVCHAN, MEMBER OF UN HUMAN RIGHTS COMMITTEE), YUGOSLAVIA (PROF. YANKOVICH, NOW TEACHING AT UNIVERSITY OF FLORIDA) AND USA (PROF. THOMAS BUERGENTHAL) TO PARTICIPATE IN THE COLLOQUIUM. VASAK STRESSED IMPORTANCE OF HOLDING IT

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BEFORE RPT BEFORE BELGRADE MEETING ON HELSINKI ACT
WHICH IS SCHEDULED FOR JUNE 15, 1977.

AS A FOLLOW-UP TO WARSAW MEETING, VASAK ENVISAGES
ANOTHER COLLOQUIUM ORGANIZED JOINTLY BY THE STRASBOURG
INSTITUTE, THE AMERICAN SOCIETY OF INTERNATIONAL LAW,
AND THE WARSAW INSTITUTE. HE THOUGHT SUCH A MEETING
WOULD BE HELD IN SEPTEMBER 1977, IN STRASBOURG,
FOCUSING PRIMARILY ON THE SUBSTANTIVE QUESTIONS OF THE
SUBJECT MATTER. VASAK WAS ALREADY IN TOUCH WITH THE
ASIL CONCERNING THIS PROJECT AND ANTICIPATES FAVORABLE

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NESCO

RESPONSE. HE EXPECTS TO GO TO NEW YORK TOWARD THE END
OF MARCH AND INTENDS TO DO APPROPRIATE FOLLOW-UP.

6. FINALLY, VASAK ASKED ACTING PERMREP TO HELP
DEVELOP INTEREST IN THE US NATIONAL COMMISSION FOR
UNESCO FOR THE PROJECT ON "WOMEN FOR PEACE", MENTIONED
IN PARA. 3191 OF 19 C/5. HE THOUGHT THAT A TWO-THREE
DAY SYMPOSIUM, ATTENDED BY "LES FEMMES GOUVERNMENTALES",
COULD BE ORGANIZED BY THE NATIONAL COMMISSION (E.G. IN
SAN FRANCISCO), UNDER CONTRACT WITH UNESCO, ON THE
OCCASION OF THE 30TH ANNIVERSARY OF THE UNIVERSAL
DECLARATION OF HUMAN RIGHTS. SECRETARIAT HAS SET ASIDE
$13,000 FOR THIS PROJECT.

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7. COMMENT: DURING THE CONVERSATION, DR. VASAK REMINDED ACTING PERMREP OF HIS FRIENDSHIP WITH KEBA M'BAYE, A DISTINGUISHED SENEGALESE JURIST, WHOM VASAK WISHES TO BE CHAIRMAN OF THE GROUP OF "WISEMEN" (SEE PARA. 4 ABOVE). INDEED, ACTING PERMREP GOT THE IMPRESSION THAT M'BAYE MIGHT HAVE BEEN AN IMPORTANT LINK BETWEEN VASAK AND THE DIRECTOR-GENERAL M'BOW (ALSO CONFIDENTIAL

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A SENEGALESE). VASAK WENT ON TO SAY THAT M'BAYE WAS ONE OF SEVERAL CANDIDATES FOR THE POSITION OF DIRECTOR OF THE UN HUMAN RIGHTS DIVISION, THAT HE WOULD BE A MOST INTERESTING CHOICE AND THAT, IN AGREEING, THERE MIGHT BE A POSSIBILITY OF SUGGESTING TO THE SYG THAT SOMEONE LIKE TOM BUERGENTHAL BE APPOINTED DEPUTY DIRECTOR AT THE SAME TIME.

ACTING PERMREP ALSO GOT THE IMPRESSION THAT VASAK HAS FULL CONFIDENCE OF DG M'BOW AND INTENDS TO USE HIS POSITION AND VERY EXTENSIVE PERSONAL CONTACTS OUTSIDE UNESCO TO REORGANIZE UNESCO HUMAN RIGHTS PROGRAM TO MAKE IT MORE MEANINGFUL. HE IS SEEKING OUR CONFIDENCE AND OUR SUPPORT WHICH WE INTEND TO PROVIDE.

8. ACTION REQUESTED: PERMDEL WOULD APPRECIATE DEPT'S. COMMENTS AND GUIDANCE, PARTICULARLY CONCERNING POINTS 4, 5, 6 AND 7 ABOVE.
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